

7. Does the profession or occupation have one or more associations that could provide oversight without the need for a licensing board? Why not use the association as the oversight body?

The associations like the Montana Dental Association, Montana Denturist Association, Montana Hygiene Association, and Montana Dental Assistants Association are political and self-serving in nature. They have been set up to advance their professions and their focus may or may not address the will, needs, and protection of the general public pertaining to a particular issue.

8 .Is a licensing board needed in order for the practitioner to bill to receive insurance(for example, health insurance)? If so is there an alternative method for billing that may be recognized rather than having a license or being regulated by a licensing board?

Dental insurance companies ask for a practitioner`s license and use it to validate a practitioner. I personally do not know of an alternative method of billing.

The same answer could be said of a dentist`s professional –liability insurance. Those companies also use the license as a way of validating and rating the risk of insuring the practitioner. They check and see if a practitioner`s license has ever been suspended, revoked, or issued with a provisional status.

9. What are the benefits of a board being part of the licensing, and discipline process instead of the department handling one or both?

The expertise provided by the professionals on the board is essential to the process of handling the licensing and discipline process.

Professionals would have to be brought in to provide opinions on

almost every case if the department was solely in charge. I can give examples.

10. Is there an optimum ratio between licensees, board size, or public representation?

I don't know of an optimum size of licensees served by the Board of Dentistry. We meet quarterly. Our meetings generally start at 7am and run until late afternoon. We often have a working lunch. We have the occasional teleconference to address issues in between the quarterly meetings on matters of urgency. Lay people on the board provide a valuable service by their neutrality. As Montana continues to grow, the scope and board size may have to be addressed. At this time and in the foreseeable future, it is very workable board structure.

11. If the board's purpose includes protecting public welfare, would that protection be handled better by the Attorney General's office than by the board? (In other words, is there a value in a disinterested third party? If not, why not? Who should be responsible for monitoring fraud within the profession or occupation?

I believe that the Board of Dentistry and its licensing overview greatly reduces the case load that has to go through the Montana legal system. This is a money saver for the state. Fines issued to licensees go into Montana's general fund or to the patient. Many Montanans would rather go through the Board of Dentistry rather than the legal system. The Board gives those who don't have financial resources an avenue to address an issue with a health care provider. Some of the public do not like to participate in the legal system by filing a law suit and they use the board as a means of addressing their problems with the health care treatment or services they have received. Expert points of view are

almost always needed to protect the public welfare and settle differences of opinion when it comes to health care issues. Fraud monitoring is very important. Fraud can be addressed in the legal system. Medicaid fraud and other public insurance fraud has to be monitored by Medicaid or the public insurance.

12. If boards have overlapping scopes of practice, should there be a third-party to determine whether there is intrusion into the other's practices. If so who should be the judge? If not, why not? Should each be allowed to operate on the other's turf without repercussions?

Boards or their representatives should be able to meet with one another if there are overlapping disputes. Someone from the department could act as a judge if no agreement is reached. Statute 37-1-107 also addresses this.

13. Should any board have the ability to limit the use of certain terminology to only a licensee?

Terminology is important when addressing the public and the qualifications of licensees. That is one of our purposes is to protect the public from people claiming they have qualifications they do not have.